

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
NORTHERN DIVISION

BETHANY DRUCE,)	
)	
Plaintiff,)	
)	
v.)	Case No. 2:20-CV-16 NAB
)	
THE KRAFT HEINZ COMPANY,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

On October 25, 2021, the Parties' request for a discovery conference was called and heard on the positions presented in the Parties' joint memorandum regarding Plaintiff Bethany Druce's Request for Production of Documents and the certified portions of the transcript of Ms. Kristen Thomure's deposition. (Doc. 45.) The undersigned made rulings on the record, and the parties submitted a proposed order memorializing the Court's rulings as follows:

I. QUESTIONS CERTIFIED IN THE THOMURE DEPOSITION

Defendant's objections are overruled and Thomure shall answer the questions that have been certified.

II. PLAINTIFF'S REQUEST FOR PRODUCTION OF DOCUMENTS

REQUEST FOR PRODUCTION NO. 5:

All emails between Michael Sieve and Kristen Thomure related to the treatment of employees in the Ready to Eat Department.

RULING:

Defendant's objections are sustained in part and overruled in part. Defendant shall produce emails from Michael Sieve to Kristen Thomure related to discrimination and disparate treatment in the Ready to Eat Department.

REQUEST FOR PRODUCTION NO. 6:

From January 1, 2016, to the present, each Charge of Discrimination filed against Defendant alleging race discrimination or retaliation and each position statement filed by Defendant related to such charges filed against Defendant Kraft due to issues

specifically at the plant in Kirksville, MO.

RULING:

Defendant's objections are sustained in part and overruled in part. Charges of Discrimination filed during the period of January 1, 2016 to July 28, 2019 that include claims of discrimination or retaliation in the Ready to Eat department and position statements related to each Charge shall be produced by Defendant. Defendant shall also produce Charges of Discrimination filed during the period of July 29, 2019 through present that include claims of discrimination or retaliation by Megan Gregory.

REQUEST FOR PRODUCTION NO. 10:

All documents or communications (for example, memos, emails, text messages, Facebook Messenger messages) made or received by the Defendant Kraft HR Department or any supervisor regarding Plaintiff, her discharge, and her complaints about Ms. Brantner's behavior.

RULING:

Defendant's objections are overruled.

REQUEST FOR PRODUCTION NO. 11:

Austin Berry's HR file including documents related to why he was terminated.

RULING: Defendant's objections are sustained.

REQUEST FOR PRODUCTION NO. 12:

Anna Lippincott's HR file, including documents related to why she was terminated.

RULING:

Defendant's objections are sustained in part and overruled in part. The personnel file is to be produced but limited to documents related to violations of company policy, discipline, attendance, and reasons for her discharge.

REQUEST FOR PRODUCTION NO. 13:

Joshua Pearson's HR file, including documents related to why he was terminated.

RULING: Defendant's objections are sustained in part and overruled in part. The personnel file is to be produced but limited to documents related to violations of company policy, discipline, attendance, and reasons for his discharge.

REQUEST FOR PRODUCTION NO. 14:

Joshua Pearson's attendance history at the Kirksville, MO plant.

RULING: Defendant's objections are overruled.

REQUEST FOR PRODUCTION NO. 18:

From January 1, 2016 to the present, a copy of each complaint of racial discrimination or retaliation made by employees at the Kraft plant in Kirksville, MO and what action was taken by the Human Resources Department regarding those complaints.

RULING:

Defendant's objections are sustained in part and overruled in part. Defendant shall produce internal complaints of racial discrimination or retaliation made by employees in the Ready to Eat department during the period of January 1, 2016 to July 28, 2019, and any action that was taken by the Human Resources Department regarding those complaints. Defendant shall also produce internal complaints of racial discrimination or retaliation by Megan Gregory that were submitted by employees in the Kirksville plant during the period of July 29, 2019 through present, and the action that was taken by the Human Resources Department regarding those complaints.

REQUEST FOR PRODUCTION NO. 19:

From January 1, 2016, to the present, a copy of each complaint of harassment made by employees at the Kraft plant in Kirksville, MO and what action was taken by the Human Resources Department.

RULING:

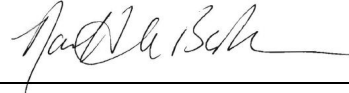
Defendant's objections are sustained in part and overruled in part. Defendant shall produce internal complaints of alleged harassment submitted by employees in the Ready to Eat department during the period of January 1, 2016 to July 28, 2019, and the action that was taken by the Human Resources Department regarding those complaints. Defendant shall also produce internal complaints of alleged harassment by Megan Gregory that were submitted by employees in the Kirksville plant during the period of July 29, 2019 through present, and the action was taken by the Human Resources Department regarding those complaints.

REQUEST FOR PRODUCTION NO. 21:

Plaintiff requests an inspection of the Kirksville plant where Plaintiff worked for purposes of documenting the places where Plaintiff worked and where the incidents occurred described in Plaintiff's Charge and Complaint.

RULING: Defendant's objections are sustained in part and overruled in part. In lieu of an onsite inspection, Defendant will produce a floor plan or map that shows the areas where Plaintiff worked in the Ready to Eat Department.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'Nannette A. Baker', is written above a horizontal line.

NANNETTE A. BAKER
UNITED STATES MAGISTRATE JUDGE

Dated this 29th day of October, 2021.